

Application No. 09/846,499
Amendment dated November 2, 2005
Reply to Office Action dated June 2, 2005

REMARKS

Reconsideration and allowance of the above-identified application is respectfully requested. Upon entry of this Amendment, claims 52-58 will remain pending.

Applicants appreciate the Examiner's indication that claims 52-54 include allowable subject matter.

However, claims 55-58 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,192,230 to Van Bokhorst in view of U.S. Patent No. 6,795,407 to Chesson. This rejection is respectfully traversed. Specifically, Applicant respectfully submits that as admitted by the Examiner, the Van Bokhorst patent fails to teach or suggest power level stabilization as recited in independent claim 55. Furthermore, Applicant respectfully submits that the Chesson patent teaches a power level calibration technique, and fails to teach or suggest the power level stabilization as specifically recited in independent claim 55.

Applicant submits that the Van Bokhorst patent teaches a method for saving energy by turning on the network terminals only when they receive synchronization information or when they have to receive or transmit data. For the remainder of the time, the network terminals are turned off, and therefore do not receive or transmit information. This method of saving energy is very similar to the method used by paging networks.

As stated above, the Examiner admits that the Van Bokhorst patent fails to teach or suggest the specific power level stabilization operation as recited in step (b) of independent claim 55. Nevertheless, for this feature, the Examiner relies on the teachings of the Chesson patent,

Application No. 09/846,499
Amendment dated November 2, 2005
Reply to Office Action dated June 2, 2005

and contends that one skilled in the art would have found it obvious to modify the Van Bokhorst system in accordance with the teachings of the Chesson patent to achieve the embodiments of the present invention as recited in claims 55-58. Applicant respectfully disagrees.

The Examiner contends that Figure 1 and column 8, lines 1-67 of the Chesson patent teaches "creating a relatively stable power-level state wherein each terminal of said plurality of terminals stabilizes at a power level reflective of the path loss between it and other terminals of said permanent link." However, Applicant respectfully submits that column 4, line 58 states that Figure 1 is a timing chart of a frame that has no relation to the control of transmit power. Furthermore, Applicant respectfully submits that column 8 of the Chesson patent teaches a method for defining and using the calibration period. According to the Chesson technique, "the access point begins a calibration period by broadcasting a message to all stations" (see col. 8, lines 19-20). Applicant therefore respectfully submits that one skilled in the art would not have found the Chesson technique applicable to multi-hopping networks where terminals could be several hops away from the access point, therefore not able to receive messages broadcasted by the access point.

In addition, column 8, lines 34-36 of the Chesson patent states that "the access point also assigns a power level for transmission" and that "for a basic scheme the power levels could be represented as "low", "medium", and "high." Applicant respectfully submit that this passage therefore teaches that the access point (or a specially selected station) is responsible for coordinating network activity and making centralized decisions (see also col. 5 lines 5-10 and

Application No. 09/846,499
Amendment dated November 2, 2005
Reply to Office Action dated June 2, 2005

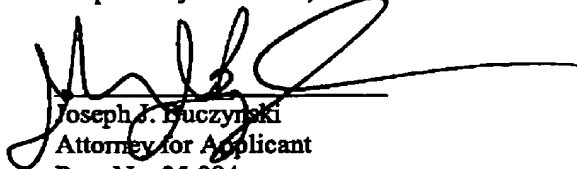
column 8, lines 54-67 of the Chesson patent). Hence, Applicant respectfully submits that Chesson patent does not teach or suggest that "each terminal of said plurality of terminals stabilizes at a power level reflective of the relative path loss between it and other terminals of said permanent link" as explicitly recited in independent claim 55.

Accordingly, Applicant respectfully submits that for all the above reasons, one skilled in the art would not have found it obvious or possible to modify the van Bokhorst system in accordance with the teachings of the Chesson patent to achieve the embodiments of the present invention even as recited in independent claim 55. Therefore, claims 55-58 should be allowable.

Applicant also notes the minor clarifying amendment being made to dependent claim 58.

In view of the above, it is believed that the above-identified application is in condition for allowance, and notice to this effect is respectfully requested. Should the Examiner have any questions, he is invited to contact the undersigned at the number indicated below.

Respectfully submitted,


Joseph J. Buczynski
Attorney for Applicant
Reg. No. 35,084

Gardner Carton & Douglas LLP
1301 K. Street, NW, Suite 900
Washington, DC 20005
Phone: (202) 230-5114
Facsimile: (202) 230-5314

Dated: November 2, 2005